

## § 134.101

## 13 CFR Ch. I (1–1–00 Edition)

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AUTHORITY: 5 U.S.C. 504; 15 U.S.C. 632, 634(b)(6), and 637(a).

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### Subpart A—General Rules

#### § 134.101 Definitions.

As used in this part:

*AA/OHA* means the Assistant Administrator for OHA.

*Act* means the Small Business Act, 15 U.S.C. 631 *et seq.*

*Address* means the primary home or business address of a person or entity, including the street location or postal box number, city or town, state, and postal zip code.

*Area Office* means a Government Contracting Area Office or a Disaster Area Office of the Small Business Administration.

*Day* means a calendar day, unless a Judge specifies otherwise.

*Hearing* means the presentation and consideration of argument and evidence. A hearing need not include live testimony or argument.

*Investment Act* means the Small Business Investment Act of 1958, 15 U.S.C. 661 *et seq.*

*Judge* means an Administrative Law Judge or an Administrative Judge of OHA, or the AA/OHA when he or she acts as an Administrative Judge.

*OHA* means the Office of Hearings and Appeals.

*Party* means the petitioner, respondent, or intervenor.

*Person* means an individual or any form of business entity.

*Petition* means a written complaint, a written appeal from an SBA determination, or a written request for the initiation of proceedings before OHA.

*Pleading* means a petition, an order to show cause commencing a case, an appeal petition, an answer, or any amendment or supplement to those documents.

*Respondent* means any person or governmental agency against which a case has been brought before OHA.

*SBA* means the Small Business Administration.

*SIC code* means Standard Industrial Classification code.

*Size determination* means a formal size determination made by an Area Office.

#### § 134.102 Jurisdiction of OHA.

OHA has authority to conduct proceedings in the following cases:

(a) The revocation or suspension of Small Business Investment Company licenses, cease and desist orders, and the removal or suspension of directors and officers of licensees, under the Investment Act and part 107 of this chapter;

(b) Alleged violations of those civil rights laws which are effectuated by parts 112, 113, 117, and 136 of this chapter;

(c) The revocation of the privilege of a person to conduct business with SBA under the Act and part 103 of this chapter;

(d) The eligibility of, or preferred or certified status of, any bank or non-bank lender to continue to participate in SBA loan programs under the Act and part 120 of this chapter;

(e) The suspension or termination of surety bond program participants under 15 U.S.C. 694a *et seq.* and part 115 of this chapter;

(f) The rights, privileges, or obligations of development companies under section 504 of the Investment Act and part 120, subpart H, of this chapter;

(g) Allowance of fees and expenses under the Equal Access to Justice Act, 5 U.S.C. 504;

(h) Debarment from appearance before the SBA because of post-employment restrictions under 18 U.S.C. 207 and part 105 of this chapter;

(i) Collection of debts owed to SBA and the United States under the Debt